

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
MARIA DE LOS ANGELES RIVERA SERRANO

CASE NO. 10-09122-ESL

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$6,213.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,574.00 Fees paid: \$1,561.13 Fees Outstanding: \$1,012.87
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With respect to the proposed (amended) Plan dated: **2/8/2011** (Dkt 21).

Plan Base: **42,900.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded [§1325(a)(6)].

Proposed plan dated February 08, 2011 is insufficiently funded to pay 100% of priority claim IRS, plus 100%+6% to the unsecured creditors. The minimum base for this case is \$52,700.00.

- Insufficiently Funded to pay what it proposes (or needs) to pay [§1325(a)(6)]

Proposed payment plan schedule is insufficiently funded to pay the equal monthly payments to Asociación de Condomines del Condominio Brisas de Monteflores, equal monthly payments to RG Mortgage plus the Trustee fee.

- Feasibility [§1325(a)(6)]: Default in payments to Trustee.

Debtor has \$575.00 (1 month) arrears in payments to the Trustee.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this February 23, 2011.

/s/ Jose R. Carrion

/s/ Jose R. Carrion

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan, PR 00902-3884
Tel. (787) 977-3535 Fax (787) 977-3550

JQA